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Foster D. Hinshaw

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PHAM, KHANH B

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/665,726	<b>Applicant(s)</b> HINSHAW ET AL.	
	<b>Examiner</b> Khanh B. Pham	<b>Art Unit</b> 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 21-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 21-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/18/08 &amp; 7/14/08</u> .                                   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-5, 21-35** are rejected under 35 U.S.C. 102(e) as being anticipated by Baker et al. (US 6,493,761 B1), hereinafter “**Baker**”.

**As per claim 1**, Baker teaches a data engine (Col. 3 lines 3-9 and Fig. 1) located in a programmable pipeline processor for processing non-field delineated, streaming, application level database records received from a mass storage device (Fig. 2), the data engine comprising:

- “a data parser configured to parse non-field delineated database records received from the mass storage device into field-delineated data” at Col. 3 lines 40-42;
- “filter logic configured to received field delineated data from the data parser, and to filter the field delineated data by performing a field operation on the field delineated data” at Col. 3 lines 43-59;

- "an output tuple generator, configured to assemble filtered field delineated data into an output tuple" at Col. 4 lines 1-6 and Col. 6 lines 16-21, Col. 33 line 65 to Col. 34 line 52.

**As per claim 2**, Baker teaches the data engine of claim 1 wherein "the filter logic further comprises a programmable memory that serves as a substitution table for field delineated database record" at Col. 15, table 12, and "wherein performing a field operation on the field delineated database records includes performing a field comparison on selected fields of the field delineated data" at Col. 11 lines 45-65.

**As per claim 3**, Baker teaches the data engine of claim 2, wherein "the substitute table includes a data string register" at Col. 15, table 12.

**As per claim 4**, Baker teaches the data engine of claim 2, wherein "the substitute table includes a temporary register" at Col. 19 lines 10-25.

**As per claim 5**, Baker teaches the data engine of claim 2, wherein "the field comparison is a character field comparison" at Col. 11 lines 45-65.

**As per claim 21**, Baker teaches a method for processing non-field delineated streaming application level database records received in a programmable pipeline

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processor from a mass storage device (Col. 6 lines 16-21 and Fig. 1) , the method comprising:

- “receiving a non-field delineated database record in a field buffer as an input data stream” at Col. 38, lines 45-59;
- “separating the input data stream into field delineated data in the field buffer under instruction from an external central processing unit” at Col. 38 lines 45-64 and Figs. 10A;
- “filtering the field delineated data by sending field delineated data from the field buffer to at least one logic unit that performs at least one field operation on the field delineated data” at Col. 11 lines 45-65; and
- “assembling the filtered field delineated data into an output tuple” at Col. 4 lines 1-6 and Col. 6 lines 16-21.

**As per claim 22**, Baker teaches the data engine of claim 1, wherein “the output tuple assemble by the output tuple generator contains only selected data fields of the field delineated data” at Col. 51 lines 20-42.

**As per claim 23**, Baker teaches the data engine of claim 1, wherein “the filter logic is further configured to filter the field delineated data by flagging data for further processing” at Col. 11 lines 45-65.

**As per claim 24**, Baker teaches the data engine of claim 1, further comprising "header storage configured to received header and control data of the field delineated data from the data parser and provide header data to the filter logic, wherein the filter logic is further configured to use header data to filter field delineated data" at Col. 7 lines 15-45.

**As per claim 25**, Baker teaches the data engine of claim 1, further comprising "an ID processing module configured to received header and control data of the field delineated data, to identify the validity of field delineated data by processing an ID field in the header data , and to provide the identified validity to the tuple generator" at Col. 13, Tables 9-10.

**As per claim 26**, Baker teaches the data engine of claim 25, wherein "the ID field store a transaction ID associated with the field delineated data" at Col. 13, Tables 9-10.

**As per claim 27**, Baker teaches the data engine of claim 21, wherein "filtering further comprises providing a substitute table for field delineated data; and performing a field comparison on selected fields of the field delineated data" at Col. 15, table 12.

**As per claim 28**, Baker teaches the method of claim 27, wherein "the substitute table includes a data-string register" at Col. 15, table 12.

**As per claim 29**, Baker teaches the method of claim 27, wherein “the substitute table includes a temporary register” at Col. 19 lines 10-25.

**As per claim 30**, Baker teaches the method of claim 27, wherein “the field comparison is a character field comparison” at Col. 11 lines 45-55.

**As per claim 31**, Baker teaches the method of claim 21, wherein “the output tuple contains only selected data fields of the field delineated data” at Col. 51 lines 20-40.

**As per claim 32**, Baker teaches the method of claim 21, wherein “filtering the field delineated data comprises: flagging data for further processing” at Col. 11 lines 45-55.

**As per claim 33**, Baker teaches the method of claim 21 further comprising “using header storage data of the field delineated data to separate field delineated data” at Col. 12.

**As per claim 34**, Baker teaches the method of claim 21 further comprising “identifying the validity of field delineated data by processing an ID field in the header data of the field delineated data, and assembling the filtered data into the output tuple based on the validity of the field delineated data” at Col. 20 lines 8-62.

**As per claim 35**, Baker teaches the method of claim 34, wherein the ID field stores a transaction ID associated with the field delineated data" at Col. 13, Tables 9-10.

### ***Response to Arguments***

3. Applicant's arguments filed April 18, 2008 have been fully considered but they are not persuasive. The Examiner respectfully traverses applicant's arguments.

4. Regarding claims 1, 21, applicant argued that Baker does not teach "a data engine located in a programmable pipeline processor for processing non-field delineated, streaming, application level database record". On the contrary, Baker teach at Col. 3 lines 3-8 and Fig. 1 "a single logic control module, implemented in either hardware or software, is used to perform a number of data manipulation functions such as parsing, filtering, statistics gathering, and data conversion. The module is based on one or more programmably configurable protocol description that may be stored in and retrieved from an associated memory". Clearly, Baker's "logic control module", when implemented in hardware, read on the claimed a data engine located in a programmable pipeline processor for processing non-field delineated, streaming, application level database record".

5. Applicant further argued that Baker fails to teaches parsing non-field delineated database record, streaming, or applicant level. On the contrary, Baker teaches at Col. 30 an exemplary file to be parsed which includes a plurality of database records as



shown in Example 1. Baker also teaches at Example 2 that the parsed filed is stored as as stream of non-field delineated characters.

6. Applicant further argued that Baker does not teach a tuple generator as claimed. On the contrary, Baker teaches at Col. 33 line 65 the TextParseFields control logic which parses the inputted data file, filters the data file and display filtering results. The displayed filtering result corresponds to the claimed output tuple because it contains only fields which meet the filtering criteria.

7. Regarding claims 2, 27, applicant argued that Baker fails to teach the claimed substitute table based on applicant's definition of the "substitute table". In response to applicant's argument it is noted that the features upon which applicant relies (i.e., "substitution table may be used in a character data comparison that should ignore the upper and lower cases attribute of characters", "the substitute table maps corresponding ASCII character entries corresponding to capital letters in the ASCII table map to the ASCII code for the corresponding lower case letter" ) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

8. Regarding claim 22, applicant argued that Baker fails to teach an output tuple generator . On the contrary, Baker teaches at Col. 33 line 65 the TextParseFields control logic which parses the inputted data file, filters the data file and display filtering results. The displayed filtering result corresponds to the claimed output tuple because it contains only fields which meet the filtering criteria.

9. Regarding claims 23, 32, applicant argued that Baker fails to teach “flagging a record for further processing”. On the contrary, Baker teaches at Col. 11 lines 45-65 that the Filter Object records may refer to a Match Flag, a Found Flag which allow the filter criteria to determine from a data field value the current state of the filter expression at each criterion. Records associate with Match Flag will be further processed (i.e. "outputted").

In light of the foregoing arguments, the 35 U.S.C 102 rejection is hereby sustained.

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Khanh B. Pham/  
Primary Examiner  
Art Unit 2166

July 18, 2008